

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF TENNESSEE  
AT CHATTANOOGA

**RONALD MOORE,** )  
Plaintiff, )  
v. )  
**FIVE STAR FOOD SERVICE, INC.** )  
and **SYLVIA MARLER,** )  
**Defendants.** )

**CIVIL ACTION NO.**

**NOTICE OF REMOVAL**

Come the Defendants, Five Star Food Service, Inc., and Sylvia Marler, by counsel, and notify the Court pursuant to 28 U.S.C. §1441, et.seq., of removal of a state court action, and respectfully show unto the Court the following:

1. On or about November 23, 2016, Plaintiff Ronald Moore filed a Complaint in the Chancery Court of Bradley County, Tennessee, against the Defendants. The state court action was styled *Ronald Moore v. Five Star Food Service, Inc. and Sylvia Marler*, and was designated as Bradley County Chancery Court docket no. 2016-CV-241.

2. In his Complaint, Plaintiff seeks compensatory damages in the amount of \$300,000.00, punitive damages in the amount of \$300,000.00, attorney fees, and costs for the alleged deprivation of his rights under the Tennessee Human Rights Act and Title VII of the Civil Rights Act of 1964.

3. On or about December 1, 2016, service of process in the state court action was effected upon Defendant Sylvia Marler.

4. On or about December 2, 2016, service of process in the state court action was effected upon Defendant Five Star Food Service, Inc. via its corporate agent for service of

process, The Prentice-Hall Corporation System, Inc.

5. Defendants file herewith as collective Exhibit A copies of all pleadings heretofore filed in the state court action and served upon Defendants.

6. This Court has jurisdiction over this cause under 28 U.S.C. § 1331 and 28 U.S.C. § 1441, *et. seq.* Plaintiff seeks relief against Defendants, in part, upon the basis of alleged violations of Title VII of the Civil Rights Act of 1964, as codified at 42 U.S.C. § 2000(e), *et seq.*, and thus asserts a cause of action that arises, in part under the laws of the United States.

7. Defendants file herewith as collective Exhibit B, copies of the Notices of Removal which have been sent to Plaintiff's counsel and to the Clerk and Master of the Chancery Court of Bradley County, Tennessee, from whence this case is sought to be removed.

WHEREFORE, Defendants pray that this cause proceed in this Court as an action properly removed hereto.

DATED: December 29, 2016.

Respectfully submitted,

**EVANS HARRISON HACKETT, PLLC**

/s/ John C. Harrison

**John C. Harrison**, (TN BPR No. 7308)

/s/ Maury Nicely

**Maury Nicely**, (TN BPR No. 18997)

*Attorneys for Defendant*

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Counsel for Defendants Five Star Food Service, Inc. and Sylvia Marler

**CERTIFICATE OF SERVICE**

The undersigned certifies that service of the foregoing Notice of Removal was made upon the following counsel of record for the Plaintiff, a Filing User, through the Court's Electronic Filing System and via United States mail, postage prepaid and properly addressed:

J. Abigail Burke  
Logan-Thompson, P.C.  
P.O. Box 191  
Cleveland, Tennessee 37364-0191.

This the 29th day of December, 2016.

**EVANS HARRISON HACKETT, PLLC**

/s/ Maury Nicely  
Maury Nicely (TN BPR No. 18997)